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SUBJECT: HUMAN RIGHTS COMMISSION REVAMPS, AIMS FOR A FRESH START

REF: A. JAKARTA 02167

[B](#). JAKARTA 0754

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Classified By: POL/C Joseph Legend Novak, reasons 1.4(b,d)

Summary

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[1](#). (C) Human rights activists say they are hopeful that the new members and new chair of Indonesia's National Commission for Human Rights (Komnas HAM) will pave the way for a more pro-active body. We understand that the new team will lobby for amendments to several of Indonesia's core human rights laws. Hampered since its creation by various inefficiencies, Komnas HAM seems set for a fresh start. Bio notes on the new team are contained in para 9. End Summary.

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New Commissioners

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[2](#). (U) On September 1, Komnas HAM inaugurated 11 new commissioners. The new team had been chosen by Commission III of the national legislature (DPR), which oversees law and human rights issues. The new commissioners had been chosen from a pool of 178 for the 2007-2012 term. They include 10 men and one woman and bring a wide variety of perspectives to Komnas HAM (see para 9 for brief bios). Notably absent for the first time are those with a military background.

[3](#). (C) Key human rights NGOs are generally pleased with the selections and are hopeful that they will produce an energized Commission. Those we spoke with--including Usman Hamid from KontraS, Putri Agung from the Institute for Policy Research and Advocacy (ELSAM), and former Komnas HAM Chairman Asmara Nababan--expressed some concern, however, for the lack of female representation on the Commission. While praising the one woman who made the cut, Hesti Armiwulan, Agung noted that there was another supremely qualified woman who made it to the final stage of the selection process, but was ultimately not selected by the DPR.

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Picking a New Chair

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[4](#). (C) On September 5, Ifdhal Kasim, a respected human rights lawyer, was selected by the new commissioners to be the Komnas HAM Chair, winning nine of 12 votes. Kasim was formerly Executive Director of the influential Institute for Policy Research and Advocacy and has worked closely with the

Ministry of Justice and Human Rights to draft human rights legislation for parliament.

15. (C) According to Usman Hamid, Kabul Supriyadie is likely to play a leading role in the new Commission's decision-making. He has had a distinguished career dealing with difficult human rights cases (ref A). During a meeting with Poloff and Pol FSN in Semarang, Central Java, Supriyadie described himself as the "lone traditionalist" among a group of "young activists" on the Commission, although he has a reputation for not pandering to authorities. As one of the five judges presiding over the 2005 Abepura trial, in which two senior police officers were acquitted of allowing their subordinates to torture and kill civilians during a 2000 raid on student dormitories Supriyadie issued the lone dissenting opinion. Another member who should be influential is Muhammad Ridha Saleh, according to contacts.

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Multiple Priorities

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16. (C) The Human Rights Law (No. 39/1999) stipulates that Komnas HAM must have 35 Commissioners, but many observers attribute past inefficiency and in-fighting on the Commission to bloated leadership. This requirement may be annulled if the new commissioners propose an amendment to the DPR to freeze the Commission's leadership at 11 and the DPR approves it. The likelihood of such a proposal is high with Supriyadie and Saleh, as well as key human rights activists, strongly in favor of keeping the Commission's leadership small and efficient.

17. (C) Supriyadie told us that the commissioners plan to lobby strongly for amendments to several of Indonesia's core human rights laws. The new team, for example, sees the Human Rights Law 39/1999 and the Law on Human Rights Courts 26/2000 as fundamentally limiting the Commission's effectiveness and, in turn, stymieing the pursuit of accountability for past

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violations of human rights. Collectively, they feel that this set of laws cedes power away from Komnas HAM to other, less-independent government institutions that lack the political will necessary to tackle sensitive cases of past abuse, such as the Attorney General's Office and the DPR (ref B).

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Trying for a Fresh Start

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18. (C) Since its formation in 1999, Komnas HAM has carried out solid research, education, monitoring, and mediation on a wide-range of current and past human rights concerns. Overall, the Commission is generally respected as a credible actor on the national human rights scene. That said, Komnas HAM has been hampered by various problems, including inefficiency, infighting, and a narrow mandate. Due to these problems, the group has not been as influential a bureaucratic player as it could be. Given the change in leadership, Komnas HAM seems set for a fresh start, though it will take time to see how far it gets on its priority list--proposed amendments to core laws will take time to work through the DPR labyrinth even under the most positive conditions.

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Bio Notes

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19. (U) The following are brief bio notes on the new Komnas HAM Commissioners:

-- Hesti Armiwulan, 44, is a lecturer at the University of Surabaya and helped establish the university's Center for Human Rights Studies as well as the Savy Amira Women's Crisis Center. She is the only woman on the Commission.

-- Ahmad Baso, 36, is a researcher, author, and human rights advocate affiliated with the LP3ES Survey Institute in Jakarta and the Community for Genuine Brotherhood.

-- Saharuddin Daming, 39, is a lawyer and head of the South Sulawesi Provincial Social Welfare and Community Protection Agency. He is the first disabled person to serve as a Komnas HAM Commissioner and is active in several organizations that focus on the rights of people with disabilities.

-- Ifdhal Kasim, 42, is a human rights lawyer and has worked on a Ministry of Justice and Human Rights team to draft bills on witness and victim protection and counterterrorism. He also represented Indonesian NGOs at the UN High Commission on Human Rights in Geneva from 2000-2004. He will serve as Komnas HAM's Chair from 2007-2012.

-- Nur Kholis, 37, was director of the Palembang Legal Aid Institute and currently serves as Chairman of the National Council for the Environment and the Palembang Indonesian Bar Association.

-- Abdul Munir Mulkhan, 65, has been actively involved in several religious and human rights organizations, including the Indonesian Ulama Council (MUI), Muhammadiyah, the Center for Human Rights Studies (Yogyakarta), and the Institute for Multiculturalism and Pluralism Studies.

-- Yoseph Adi Prasetyo, 48, is a freelance journalist and writer as well as executive director of the Institute for Media and Information Studies.

-- Muhammad Ridha Saleh, 37, was deputy executive director of Friends of the Earth-Indonesia from 2001-2006 and has served as a member of several human rights study teams and delegations. He received the highest number of votes during the DPR Komnas HAM selection process and has been frequently featured in the local press since his selection to the Commission.

-- Johny Nelson Simanjuntak, 51, is a human rights advocate and educator with the Societal Transformation Advocacy Foundation and is chairman of the Independent Commission on Women and Children Protection, both in Solo.

-- Syafruddin Ngulma Simeulue, 50, is an environmentalist and has been involved with a number of environmental groups since 1981.

-- Kabul Supriyadie, 51, is a university lecturer, deputy

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chief of the Police Study Center at Diponegoro University School of Law, Secretary of Central Java's MUI, head of the Semarang branch of NU, and served as a judge of the Ad Hoc Human Rights Court from 2000-2007.

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